

July 29, 2008

To: Federal Communication Commission
455 12th Street SW
Washington, DC 20554

FILED/ACCEPTED
JUL 29 2008
Federal Communications Commission
Office of the Secretary

From: Kathy Steinert
89 Route 46
Budd Lake, NJ 07828
Phone: 973-691-4008 x8640
Fax-973-691-4023
E-mail-ksteinert@mtoliveboe.org

Re: CC Docket 02-6
CC Docket 96-45

Company Name: Mt. Olive Twp School District
Billed Entity Name: Mt. Olive Twp. School District
Application Number: 451894
Billed Entity Number: 123053
Funding Request Number: 1269232

I am writing to request a waiver of the documentation rules. The FRN listed above was requested as telecomm trenching at priority one. The PIA incorrectly re-classified this request as internal connections. This cabling was clearly for the Service Provider to run telecomm and data lines from the road to the demarcation. I have enclosed a map (attachment E) which shows the path of the cabling. I was not asked the Tennessee Test questions by the PIA team as well.

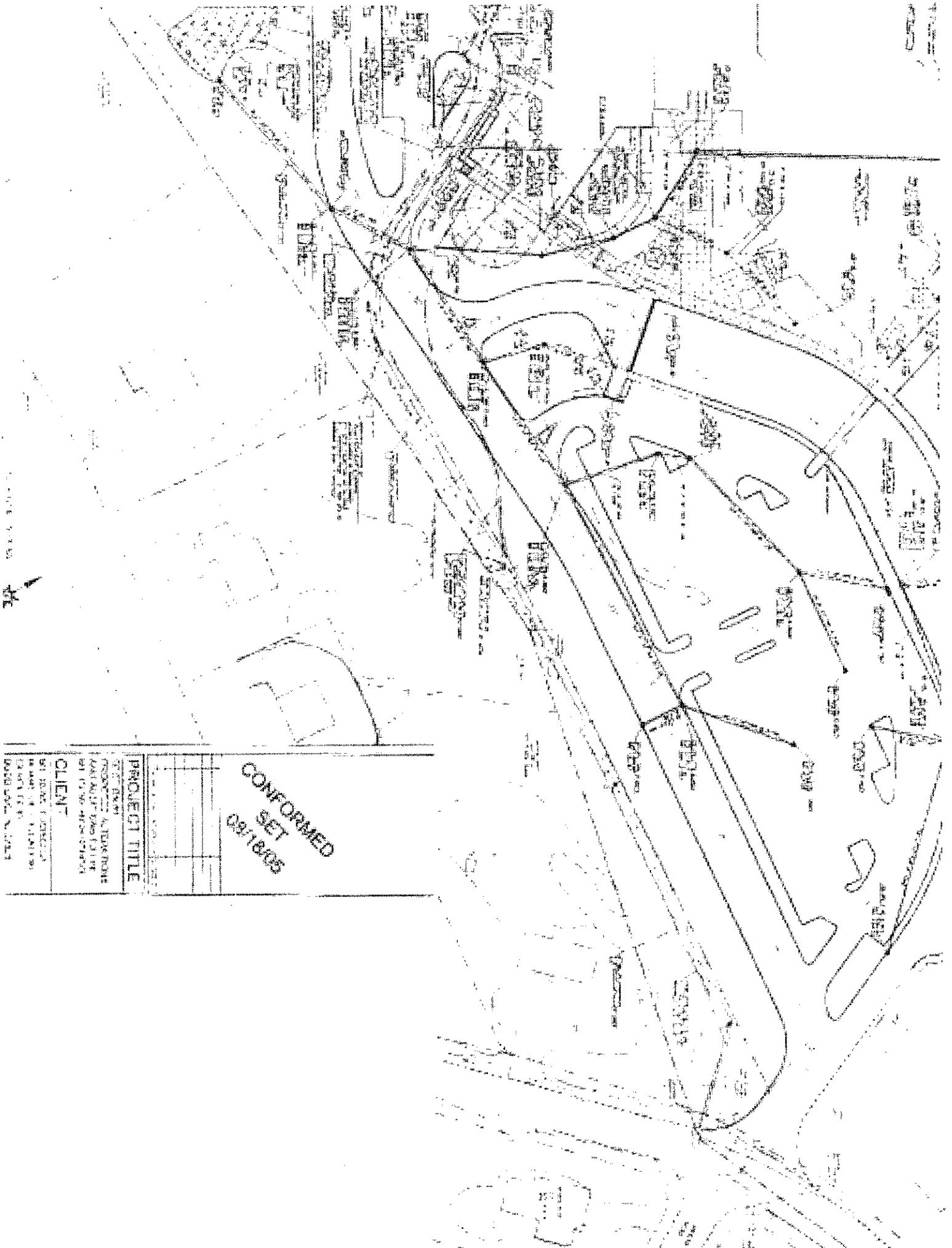
I am enclosing the following attachments:

Attachment A-Original Request 471
Attachment B-Denial
Attachment C-Appeal
Attachment D-Denial of Appeal
Attachment E-WAN map

Thank you in advance for your consideration.

Kathy Steinert
Phone administrator

No. of Copies rec'd 0
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CONFORMED
SET
08/18/05

PROJECT TITLE

CLIENT

DATE
BY
CHECKED
DATE
BY
DATE
BY

16a. Billing Account Number: 973-691-4000	16b. Multiple Billing Account Numbers?:
17. Allowable Contract Date: 12/29/2004	18. Contract Award Date: 02/09/2005
19a. Service Start Date: 07/01/2005	19b. Service End Date:
20. Contract Expiration Date: 06/30/2006	
21. Attachment #: Construction	22. Block 4 Entity Number: 8148
23a. Monthly Charges: \$.00	23b. Ineligible monthly amt.: \$.00
23c. Eligible monthly amt.: \$0.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$0.00	
23f. Annual non-recurring (one-time) charges: \$20,000.00	23g. Ineligible non-recurring amt.: \$.00
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$20,000.00	
23i. Total program year pre-discount amount (23e + 23h): \$20,000.00	
23j. % discount (from Block 4): 40	
23k. Funding Commitment Request (23i x 23j): \$8,000.00	

FRN: 1303222 FCDL Date:	
10. Original FRN:	
11. Category of Service: Internal Connections	12. 470 Application Number: 193400000515939
13. SPIN: 143004851	14. Service Provider Name: ProMedia Technology Services, Inc.
15a. Non-Contracted tariffed/Month to Month Service:	15b. Contract Number: N/A
15c. Covered under State Master Contract:	15d. FRN from Previous Year:
16a. Billing Account Number: 973-691-4000	16b. Multiple Billing Account Numbers?:
17. Allowable Contract Date: 12/29/2004	18. Contract Award Date: 02/15/2005
19a. Service Start Date: 07/01/2005	19b. Service End Date:
20. Contract Expiration Date: 06/30/2006	
21. Attachment #: High School Cabling	22. Block 4 Entity Number: 8148
23a. Monthly Charges: \$.00	23b. Ineligible monthly amt.: \$.00
23c. Eligible monthly amt.: \$0.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$0.00	
23f. Annual non-recurring (one-time) charges: \$643,000.00	23g. Ineligible non-recurring amt.: \$.00
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g): \$643,000.00	
23i. Total program year pre-discount amount (23e + 23h): \$643,000.00	
23j. % discount (from Block 4): 40	
23k. Funding Commitment Request (23i x 23j): \$257,200.00	

Block 6: Certifications and Signature

24. ☒ I certify that the entities listed in Block 4 of this application are eligible for support because they are:
(check one or both)
- a. ☒ schools under the statutory definitions of elementary and secondary schools found in the **No Child Left Behind Act of 2001, 20 U.S.C. Secs. 7801(18) and (38)**, that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million; and/or

FUNDING COMMITMENT REPORT
Billed Entity Name: MOUNT OLIVE TWP SCHOOL DIST
BEN: 123053
Funding Year: 2005

Form 471 Application Number: 451894
Funding Request Number: 1269232
Funding Status: Not Funded
Category of Service: Internal Connections
Form 470 Application Number: 193400000
SPIN: 143001362
Service Provider Name: Verizon New Jersey Inc
Contract Number: N/A
Billing Account Number: 973-691-4000
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 8148
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$20,000.00
Pre-discount Amount: \$20,000.00
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Srvc/Discnt will NOT be funded
Funding Commitment Decision Explanation: Category of service changed from Telecom
Service to Internal Connections in accordance with program rules. Given demand,
funding cap will not provide for Internal Connections at your approved discount level
to be funded. Please see www.sl.universalservice.org for details.

ECDL Date: 05/08/2006
Wave Number: 040

Funding Request Number: 1303222
Funding Status: Not Funded
Category of Service: Internal Connections
Form 470 Application Number: 193400000
SPIN: 143004851
Service Provider Name: ProMedia Technology Services, Inc.
Contract Number: N/A
Billing Account Number: 973-691-4000
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 8148
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$643,000.00
Pre-discount Amount: \$643,000.00
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Srvc/Discnt will NOT be funded
Funding Commitment Decision Explanation: Given demand, the funding cap will not
provide for Internal Connections at your approved discount level to be funded. Please
see www.sl.universalservice.org for further details.

ECDL Date: 05/08/2006
Wave Number: 040

To: USAC

From: Mt. Olive Twp. School District
Kathy Steinert
89 Route 46
Budd Lake, NJ 07828-1014
973-691-6100
ksteinert@mtoliveboe.org

Date: May 2nd

Re: Appeal of Funding Commitment Decision Letter

I am writing to appeal the funding decision for the following FCDL:

1. Funding year-2005
2. Mount Olive Twp. School District
3. Application #451894
4. BEN-123053
5. FRN-1269232
6. Document Title: Construction
7. Amount: \$20,000

This funding was moved from Telecomm to Internal Connections without explanation. Here are the comments I received from USAC "Category of service changed from Telecom Service to Internal Connections in accordance with program rules. Given demand, funding cap will not provide for Internal Connections at your approved discount level to be funded." I have not received my FCDL, which was supposed to have been mailed on March 24, 2006. There appears to have been some problems with wave 20 and 21 and the letters did not go out yet.

Our High School is currently under construction and our data and voice lines are being run from the main road to the demarcation in our building. It is my understanding that this cost is e-ratable and should be assigned Priority 1 status. I am enclosing the letter of explanation from Verizon along with their bill.

Authorized Person: George Johnson, Assistant Superintendent, 973-691-4008 ext. 8600.
e-mail-gjohnson@mtoliveboe.org.

Please let me know if you have any questions.



Kathy Steinert



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2005-2006

August 25, 2006

Kathy Steinert
Mount Olive Township School District
89 Route 46
Budd Lake, NJ 07828-1014

Re: Applicant Name: MOUNT OLIVE TWP SCHOOL DIST
Billed Entity Number: 123053
Form 471 Application Number: 451894
Funding Request Number(s): 1269232
Your Correspondence Dated: May 02, 2006

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2005 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1269232
Decision on Appeal: **Denied**
Explanation:

- You are appealing USAC's decision to deny payment due to the discount percentage being less than the approved level to be funded. You state that your request should not have been reclassified from Telecommunications Services to Internal Connections.
- During the Appeal Review, USAC thoroughly assessed the facts presented in the appeal letter, the relevant documentation on file, and the FCC Rules and Procedures before making its determination on your appeal. Program Compliance has determined that the category of service for this request should be Internal Connections. According to information submitted as the Item 21 attachment, the funds requested are for copper and fiber cable runs. This funding request was incorrectly categorized by the applicant as Telecommunications Services on the

Form 471 (Block 5, Item 11). Based on the documentation in the record, USAC supports the decision to deny this funding request because the requested discount of 40% is below the FY 2005 funding cap. The applicant has failed to provide evidence that USAC erred in its initial decision. Consequently, the appeal is denied.

- You filed a Form 471 as an individual applicant seeking funding for Internal Connections. You indicated on your Form 471 that your discount eligibility is 40%. FCC rules require that where demand for funding exceeds available support, first priority be given to requests for Telecommunications Services and Internet Access. 47 C.F.R. §54.507(g)(1)(i). FCC rules further require that requests for Internal Connections be given second priority, and be funded only if funds remain after support has been reserved for Telecommunications and Internet Access through all discount levels in a funding year. 47 C.F.R. § 54.507(g)(1)(ii). Where demand for discounts for Internal Connections exceeds available support, FCC rules require that funding be allocated to the most economically disadvantaged schools and libraries as determined by the matrix. 47 C.F.R. §§ 54.505(c), 54.507(g)(1)(ii). Pursuant to the matrix, funds are allocated first to applicants eligible for a 90% discount, then to schools and libraries eligible for an 80% discount, and in the same manner until no funds remain. 47 C.F.R. § 54.507(g)(1)(ii)-(iii). For schools and libraries that create consortia for the purposes of making funding requests and sharing products, the discount level is calculated by averaging the applicable discounts of the schools and libraries that are members of the consortia. 47 C.F.R. § 54.505(4). Because discount levels for consortia are determined in this manner, the discount levels for shared products requests are single discount level percentages rather than the broad discount level percentages for individual schools and libraries as determined by the matrix. *See Federal State Joint-Board on Universal Service, CC Docket Nos. 97-21 and 96-45, Fifth Order on Reconsideration in Docket No. 97-21, Eleventh Order on Reconsideration in CC Docket No. 96-45 and Further Notice of Proposed Rulemaking*, 14 FCC Rcd 6033, FCC 99-49 (rel. Mar. 18, 1999). Consequently, where demand for discounts for internal connections exceeds available support, FCC rules require that funding be awarded first to applicants eligible for a 90 percent discount level, and then at each descending single discount percentage until funds are depleted. 47 C.F.R. § 54.507(g)(1)(iii).

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either USAC or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company